



MINUTES OF MISSION WOODS CITY COUNCIL
September 2, 2014
7:00 p.m.

The City Council of Mission Woods, Kansas met in regular session on Tuesday, September 2, 2014 at the Westwood City Hall, 4700 Rainbow, Westwood, Kansas.

Council Members Present: Mayor Tietze
Councilwoman Joan Ruff
Councilman Cory Fisher
Councilman Bill Sanders
Councilman Charles Bachand
Councilman Bill Dunn
Councilman John Baenisch

Visitors present: Officer Jason Abel
Lynn and Alicia Mitchelson
Mr. and Mrs. Mitchelson's Architect
David Immenschuh
Mike and Kathy Henley

I. Call to Order

Mayor Tietze called the meeting to order at 7:00 p.m. A quorum was present.

II. Minutes of Prior Meeting

The first item of business to come before the Council was approval of August Council meeting minutes. It was noted that the City Attorney had made a correction to the minutes that were

circulated to the Council members by email. Council member Bachand moved to approve the corrected minutes and Council member Baenisch seconded the motion. All voted in favor and the motion carried.

III. Warrants

The Council turned its attention to approval of the warrants. Council member Dunn moved and Council member Bachand seconded approval of payment of the warrants. All voted in favor and the motion carried unanimously.

IV. Police Report

Council next turned its attention to a review of the police report. There were no comments or questions.

V. Appeal of ARB Decision on Mitchelson Project

The Council next heard the appeal of the ARB's denial of a permit request for Lynn and Alicia Mitchelson. Mayor Tietze recused himself from consideration of the issue, as he is one of the opponents of the Mitchelson's proposed project. Councilmember Sanders, President of the Council, reminded the Council that the appeal is a hearing from scratch – de novo. He then turned the floor over to Mr. Mitchelson. Mr. Mitchelson noted he and Alicia have lived in Mission Woods for 25 years and they love the neighborhood. They have tried to be respectful. They would like to bring their home to the standard of others in neighborhood. They would like a 2 car garage, an upstairs bathroom and a modern kitchen. This is not an issue of over-sizing and would increase the value of the home. The changes are in line with the original plans of the architect, Edward Tanner. The home was purchased with expectation that a second car garage would be added. 1989 was the date of purchase and realtor indicated the prior seller had approval to add the garage at that time. Mr. Mitchelson referenced the original advertisement reflecting this. The home takes up less than 25% of the area of lot. Mr. Mitchelson showed a map reflecting all homes on the south side of MW Road – the average is 21.5 and they are only at 15% presently. With the improvements, they will still be well under 20% specified minimum. Mr. Mitchelson further noted that they had accepted all recommendations that came from original ARB meeting in April and the subsequent meeting in July. The garage windows have been redesigned per the request of the ARB, as has the door to the storage area. The Mitchelsons also designed a water collection system to address concerns about run-off and they have agreed to construction of an 8 ft. concrete pier.

Councilmember Sanders inquired about the appearance of the garage from the street. A before and after rendition was shown to the Council and the members of the gallery were invited to look as well. Council member Sanders asked about other homes the Mitchelson's architect has done – about 50% of the homes in Hallbrook, for example. The original estimate to complete was 9 months, but there is some concern about being enclosed by winter, so perhaps they would like to

delay starting until next spring. Bob Willis, who works with his son, will be the builders. Mark Hinkey in Mission Hills recommended these builders. The Willis' have often won awards for their work. Council member Sanders opened the floor to other Councilmembers. Council member Fisher noted that the issues related to watershed and the issue of load have been addressed and the Mitchelsons have agreed to comply. No other Council members had questions. Council member Sanders noted that just before the Council meeting, he received a call from a resident who expressed support of the project on behalf of herself and others in the City. Council member Baenisch moved to approve the permit request and Council member Dunn seconded the motion. All voted in favor and the motion carried unanimously.

VI. Ordinance 197 and 198

Mayor Tietze next introduced proposed ordinance 197 for adoption of the new uniform public offense code. Council member Sanders moved and Council member Fisher seconded passage of ordinance 197. All voted in favor and Ord. 197 was approved.

Mayor Tietze next introduced proposed ordinance 198 for adoption of the new Standard Traffic Offense code. Council member Bachand moved to approve and Council member Dunn seconded the motion. Ord. 198 passed by unanimous vote.

VII. Appointment of Council member Joan Ruff

Mayor Tietze reminded the Council that Council member Sanders is resigning from the Council and that Joan Ruff has been appointed to take Council member Sanders' place. Councilmember Sanders spoke highly of Ms. Ruff's qualifications and stated that he cannot think of a more qualified person to sit on the Council. She is very smart, fair, a very qualified person. The City Attorney then administered the oath of office to Ms. Ruff, which she signed.

VIII. Election of President of Council

With Council member Sanders' resignation, the Council next addressed the vacancy in the office of President of the Council. Mayor Tietze recommended the Council elect Council member Fisher to act as President. Councilmember Sanders spoke in favor of the recommendation. Councilmember Fisher is very fair, and would be very well received and will do a terrific job. Council member Baenisch moved and Council member Dunn seconded the motion. Upon unanimous vote by the Council, the motion carried.

IX. General Comments

Mayor Tietze presented Councilmember Sanders with a plaque in recognition of his long and distinguished service to the City. Councilmember Sanders noted that we are all modernizing and we have gone through a good transition, but we need to be cautious about increased expenses, including legal expenses. Councilmember Dunn also noted that we need to make sure that when an issue is closed, the issue remains closed.

Councilmember Sanders asked about where we stand with the projects in our commercial districts. The Karbanks are presenting revised plans for the parking garage at 1900 SMP and the proposed 1957 building.

Mayor Tietze informed the Council in follow up to a question posed in a prior meeting that the City pays \$200 per year for each light in the church driveway. Councilmember Baenisch advocated for the City to stop paying for these lights and give the Church the option to pay for the lights. Councilmember Bachand agreed with Councilmember Baenisch. Councilmember Fisher noted there may be a buy-out clause for removing those lights from our lease. Councilmember Dunn expressed some concern about removing or turning those lights off. The Council did indicate a willingness to give the church ample time to make a decision and take over these lights. The removal of these should only bring the lighting to a state that is consistent with the street lighting in other areas of the City. Council member Dunn agreed to visit with the Church about taking over the lease on the two lights at issue. The mayor may follow up with a letter proving a deadline by which the lights will be turned off.

Mayor Tietze shared an update from Mr. Watkins. KCP&L has produced a light shield for the southern light and are ready to install. The third light they want to install will come before the ARB on the 9th. If the third light is approved, they want to do another reading.

There were no other comments from the Council. The meeting adjourned at 7:37 p.m.